

GEOFFREY A. HANSEN
Acting Federal Public Defender
VARELL L. FULLER
Assistant Federal Public Defender
160 West Santa Clara Street, Suite 575
San Jose, CA 95113
Telephone: (408) 291-7753
Counsel for Defendant SOUZA

FILED

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

| | | |
|---------------------------|---|-------------------------------|
| UNITED STATES OF AMERICA, |) | No. CR 11-00930-DLJ |
| |) | |
| Plaintiff, |) | STIPULATION AND [] |
| |) | ORDER CONTINUING SENTENCING |
| vs. |) | HEARING DATE TO JULY 12, 2012 |
| |) | |
| MICHAEL EDWARD SOUZA, |) | |
| |) | |
| Defendant. |) | |
| |) | |

STIPULATION

Defendant Michael Edward Souza, by and through Assistant Federal Public Defender Varell L. Fuller, and the United States, by and through Assistant United States Attorney Thomas O'Connell, hereby stipulate and agree, subject to the Court's approval, that the sentencing hearing currently set in this matter for Thursday, May 31, 2012, at 10:00 a.m., be continued to Thursday, July 12, 2012, at 10:00 a.m.

Mr. Souza pled pursuant to Rule 11(c)(1)(A) and 11(c)(1)(C) of the Federal Rule of Criminal procedure to one count of mail theft, in violation of 18 U.S.C. § 1708. A sentencing hearing is presently set in this matter for May 31, 2012, and counsel for Mr. Souza respectfully request additional time to complete the sentencing mitigation investigation and to prepare for the

sentencing hearing. Accordingly, the defense respectfully request that the sentencing hearing date be continued to July 12, 2012. United States Probation Officer Aylin Raya, who has been assigned to conduct the presentence investigation, has been consulted about the requested continuance and has no objection. The parties further agree that the deadlines by which the United States Probation Office must disclose the draft and final pre-sentence reports shall be adjusted according to the new July 12, 2012, sentencing date.

Dated: May 15, 2012

_____/s/_____
VARELL L. FULLER
Assistant Federal Public Defender

Dated May 15, 2012

_____/s/_____
THOMAS O' CONNELL
Assistant United States Attorney

[] ORDER

GOOD CAUSE APPEARING, and by stipulation of the parties, it is hereby ordered that the sentencing hearing date set for Thursday, May 31, 2012, at 10:00 a.m. is continued to Thursday, July 12, 2012, at 10:00 a.m., and the dates by which United States Probation must disclose the draft and final pre-sentence reports shall be adjusted accordingly.

Dated: ~~180515~~ 5/15/12



THE HONORABLE D. LOWELL JENSEN
United States District Court Judge